

Colorado Sex Offender Management Board Statutory Mandates¹
Briefing Document for the Senate Judiciary Committee
April 10, 2013 – 1:30 PM

The statutory mandates for the Colorado Sex Offender Management Board (SOMB) are listed below in black font, while a description of the SOMB's fulfillment of these mandates is in *red italic font*. All reports and papers referenced in this document can be found at the SOMB website: http://dcj.state.co.us/odvsom/sex_offender/index.html

16-11.7-101. Legislative declaration. (1) The general assembly finds that, to protect the public and to work toward the elimination of sexual offenses, it is necessary to comprehensively evaluate, identify, treat, manage, and monitor adult sex offenders who are subject to the supervision of the criminal justice system and juveniles who have committed sexual offenses who are subject to the supervision of the juvenile justice system.

(2) Therefore, the general assembly declares that it is necessary to create a program that establishes evidence based standards for the evaluation, identification, treatment, management, and monitoring of adult sex offenders and juveniles who have committed sexual offenses at each stage of the criminal or juvenile justice system to prevent offenders from reoffending and enhance the protection of victims and potential victims. The general assembly does not intend to imply that all offenders can or will positively respond to treatment.

As of April 1, 2013, there were 15,848 registered sex offenders in the state of Colorado. Of those, there were 4,442 adults and juveniles under community supervision and in treatment for a sex crime in 2011.² Based on the above, there are also a large number of sex offenders currently residing in the community who are not under any form of criminal justice supervision.

16-11.7-103. Sex offender management board – creation - duties - repeal. (1) There is hereby created in the department of public safety a sex offender management board that shall consist of twenty-five members. The membership of the board shall reflect, to the extent possible, representation of urban and rural areas of the state and a balance of expertise in adult and juvenile issues relating to persons who commit sex offenses. The membership of the board shall consist of the following persons who shall be appointed as follows:

(a) The chief justice of the supreme court shall appoint three members as follows:

(I) One member who represents the judicial department;

(II) One member who is a district court judge; and

(III) One member who is a juvenile court judge or juvenile court magistrate;

(b) The executive director of the department of corrections shall appoint one member who represents the department of corrections;

(c) The executive director of the department of human services shall appoint three members as follows:

(I) One member who represents the department of human services and who has recognizable expertise in child welfare and case management;

¹ 16-11.7-101-109 C.R.S.

² SOMB White Paper on Adult Sex Offender Housing, 2011

- (II) One member who represents the division of youth corrections in the department of human services; and
- (III) One member who is a provider of out-of-home placement services with recognizable expertise in providing services to juveniles who have committed sexual offenses;
- (d) The executive director of the department of public safety shall appoint sixteen members as follows:
 - (I) One member who represents the division of criminal justice in the department of public safety;
 - (II) Two members who are licensed mental health professionals with recognizable expertise in the treatment of adult sex offenders;
 - (III) Two members who are licensed mental health professionals with recognizable expertise in the treatment of juveniles who have committed sexual offenses;
 - (IV) One member who is a member of a community corrections board;
 - (V) One member who is a public defender with recognizable expertise related to sexual offenses;
 - (VI) One member who represents law enforcement with recognizable expertise in addressing sexual offenses and victimization;
 - (VII) Three members who are recognized experts in the field of sexual abuse and who can represent sexual abuse victims and victims' rights organizations;
 - (VIII) One member who is a clinical polygraph examiner;
 - (IX) One member who is a private criminal defense attorney with recognizable expertise related to sexual offenses;
 - (X) One member who is a county director of social services, appointed after consultation with a statewide group representing counties; and
 - (XI) Two members who are county commissioners or members of the governing council for a jurisdiction that is a contiguous city and county, one of whom shall represent an urban or suburban county and one of whom shall represent a rural county, appointed after consultation with a statewide group representing counties;
- (e) The executive director of the Colorado district attorneys' council shall appoint one member who represents the interests of prosecuting attorneys and who has recognizable expertise in prosecuting sexual offenses; and
- (f) The commissioner of education shall appoint one member who has experience with juveniles who have committed sexual offenses and who are in the public school system.

Staff support for the SOMB is provided by the Colorado Division of Criminal Justice within the Department of Public Safety. There are currently 4.8 FTE devoted to the staffing functions for the SOMB. The staff is responsible for providing administrative support, subject matter expertise, and training for the work of the SOMB.

The Colorado Sex Offender Management Board (SOMB) meets for an all-day meeting once per month. The SOMB typically meets in the Denver metro area, but also meets once per year at the SOMB annual conference in Breckenridge and conducts one additional non-metro area meeting per year (meetings have been held in Pueblo, Durango, and Grand Junction over the past 3 years). The SOMB regularly solicits stakeholder and public comment and input, and held an open forum meeting in May 2012 where any individual or stakeholder group was allowed to present on a relevant issue of interest. Based on the feedback, the SOMB considered each raised issue in turn, assigned these issues to committees where appropriate, and responded back to

individual/stakeholder who provided the feedback about the SOMB's plan to address the issue, if there was such a plan.

The SOMB has 13 active sub-committees that meet on a monthly to quarterly basis:

- *Juvenile Standards Revisions Committee*
- *Best Practices Committee*
- *Circles of Support and Accountability Committee*
- *Sex Offender Registration Committee*
- *Victim Advocacy Committee*
- *Application Review Committee*
- *Community Notification Technical Assistance Team*
- *Research Committee*
- *Juvenile Sex History Polygraph Preparation Committee*
- *Denial Intervention Committee*
- *Managing Sexually Stimulating Materials Committee*
- *Young Adults Committee*
- *Shared Living Arrangements Committee*

16-11.7-103. Sex offender management board – creation - duties - repeal. (4) Duties of the board. The board shall carry out the following duties:

(a) Standards for identification and evaluation of adult sex offenders. The board shall develop, prescribe, and revise, as appropriate, a standard procedure to evaluate and identify adult sex offenders, including adult sex offenders with developmental disabilities. The procedures shall provide for an evaluation and identification of the adult sex offender and recommend management, monitoring, and treatment based upon existing research demonstrating that sexually offending behavior is often repetitive and that there is currently no way to ensure that adult sex offenders with the propensity to commit sexual offenses will not reoffend. Because there are adult sex offenders who can learn to manage unhealthy patterns and learn behaviors that can lessen their risk to society in the course of ongoing treatment, management, and monitoring, the board shall develop a procedure for evaluating and identifying, on a case-by-case basis, reliably lower-risk sex offenders. The board shall develop and implement methods of intervention for adult sex offenders, which methods have as a priority the physical and psychological safety of victims and potential victims and which are appropriate to the assessed needs of the particular offender, so long as there is no reduction in the safety of victims and potential victims.

(b) **Guidelines and standards for treatment of adult offenders.** The board shall develop, implement, and revise, as appropriate, guidelines and standards to treat adult sex offenders, including adult sex offenders with developmental disabilities, which guidelines and standards can be used in the treatment of offenders who are placed on probation, incarcerated with the department of corrections, placed on parole, or placed in community corrections...

In terms of (a) and (b) above, the SOMB revises the Adult Standards and Guidelines³ based on new research and best practice. The SOMB reviews new national research and best practice

³ Standards and Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders, 2011

articles as they are published, and regularly requests literature reviews of relevant topics from the staff researcher. Recent revisions have included the development of the low-risk protocol, and enhancements to the multi-disciplinary team approach, behavioral management of offenders including child contact issues, and evaluation of offenders with a history of sex crime conviction or adjudication.

(d) Risk assessment screening instrument. The board shall consult on, approve, and revise, as necessary, the risk assessment screening instrument developed by the division of criminal justice to assist the sentencing court in determining the likelihood that an adult sex offender will commit one or more of the offenses specified in section 18-3-414.5 (1) (a) (II), C.R.S., under the circumstances described in section 18-3-414.5 (1) (a) (III), C.R.S...

The SOMB has recently revised the Sexually Violent Predator risk assessment⁴ and the criteria for release from the Department of Corrections on to parole for indeterminate sentence sex offenders,⁵ as well as developed parole criteria for determinate sentence sex offenders.⁶

(e) Evaluation of policies and procedures - report. (I) The board shall research, either through direct evaluation or through a review of relevant research articles and sex offender treatment empirical data, and analyze, through a comprehensive review of evidence-based practices, the effectiveness of the evaluation, identification, and treatment policies and procedures for adult sex offenders developed pursuant to this article. This research shall specifically include, but need not be limited to, reviewing and researching reoffense and factors that contribute to reoffense for sex offenders as defined in this article, the effective use of cognitive behavioral therapy to prevent reoffense, the use of polygraphs in treatment, and the containment model for adult sex offender management and treatment and its effective application. The board shall revise the guidelines and standards for evaluation, identification, and treatment, as appropriate, based upon the results of the board's research and analysis. The board shall also develop and prescribe a system to implement the guidelines and standards developed pursuant to paragraph (b) of this subsection (4).

(II) (A) On or before December 1, 2011, the board shall submit and present to the judiciary committees of the senate and the house of representatives, or any successor committees, a written report of the board's findings based on the research and analysis, as required in subparagraph (I) of this paragraph (e), on the effectiveness of the evaluation, identification, and treatment procedures developed pursuant to this article...

The SOMB has completed a process evaluation⁷ and an outcome study⁸ of the Adult Standards and Guidelines. In addition, the SOMB is currently working on a number of other research

⁴ Sexually Violent Predator Assessment Screening Instrument, 2010

⁵ Lifetime Supervision Criteria in the Standards and Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders, 2011

⁶ Appendix J – Parole Guidelines for Discretionary Release on Determinate Sentenced Sex Offenders in the Standards and Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders, 2011

⁷ Process Evaluation of the Colorado Sex Offender Management Board Standards and Guidelines, 2003

⁸ Outcome Evaluation of the Colorado Sex Offender Management Board Standards and Guidelines: A Report of Findings Regarding Program Effectiveness, 2011

projects (see SOMB Research Dashboard – FY13). The SOMB uses this information to revise the Standards and Guidelines as appropriate.

(g) Living arrangements for adult sex offenders - recommendations. The board shall research, analyze, and make recommendations that reflect best practices for living arrangements for and the location of adult sex offenders within the community, including but not limited to shared living arrangements...

The SOMB has previously made sex offender living arrangement recommendations⁹ and continues to address the issues¹⁰ regarding living arrangements for and the location of adult sex offenders within the community.

(j) Guidelines and standards for treatment of juvenile offenders. The board shall develop, implement, and revise, as appropriate, guidelines and standards to treat juveniles who have committed sexual offenses, including juveniles with developmental disabilities, which guidelines and standards may be used for juvenile offenders who are placed on probation, committed to the department of human services, placed on parole, or placed in out-of-home placement...

The SOMB revises the Juvenile Standards and Guidelines¹¹ based on new research and best practice. The SOMB reviews new national research and best practice articles as they are published, and regularly requests literature reviews of relevant topics from the staff researcher. Recent revisions have included enhancements to the multi-disciplinary team approach and treatment for juveniles who commit sexual offenses.

(k) Evaluation of policies and procedures for juvenile offenders. The board shall research and analyze the effectiveness of the evaluation, identification, and treatment procedures developed pursuant to this article for juveniles who have committed sexual offenses. The board shall revise the guidelines and standards for evaluation, identification, and treatment, as appropriate, based upon the results of the board's research and analysis. The board shall also develop and prescribe a system to implement the guidelines and standards developed pursuant to paragraph (j) of this subsection (4).

The SOMB has completed a process evaluation¹² and an outcome study¹³ of the Juvenile Standards and Guidelines. In addition, the SOMB is currently working on a number of other research projects (see SOMB Research Dashboard – FY13). The SOMB uses this information to revise the Standards and Guidelines as appropriate.

⁹ Report on Safety Issues Raised by Living Arrangements for and Location of Sex Offenders in the Community, 2004

¹⁰ SOMB White Paper on Adult Sex Offender Housing, 2011; and Outcome Evaluation of the Colorado Sex Offender Management Board Standards and Guidelines: A Report of Findings Regarding Program Effectiveness, 2011

¹¹ Standards and Guidelines for the Evaluation, Assessment, Treatment and Supervision of Juveniles Who Have Committed Sexual Offenses, 2011

¹² The Juvenile Standards Implementation Assessment Project, 2007

¹³ Evaluation of Policies and Procedures for Juvenile Offenders and Best Practices for the Treatment and Management of Adult Sex Offenders and Juveniles Who Have Committed Sexual Offenses, 2013

16-11.7-104. Sex offenders - evaluation and identification required. (1) On and after January 1, 1994, each convicted adult sex offender and juvenile who has committed a sexual offense who is to be considered for probation shall be required, as a part of the presentence or probation investigation required pursuant to section 16-11-102, to submit to an evaluation for treatment, an evaluation for risk, procedures required for monitoring of behavior to protect victims and potential victims, and an identification developed pursuant to section 16-11.7-103 (4)...

16-11.7-105. Sentencing of sex offenders – treatment based upon evaluation and identification required. Each adult sex offender and juvenile who has committed a sexual offense sentenced by the court for an offense committed on or after January 1, 1994, shall be required, as a part of any sentence to probation, commitment to the department of human services, sentence to community corrections, incarceration with the department of corrections, placement on parole, or out-of-home placement to undergo treatment to the extent appropriate to such offender based upon the recommendations of the evaluation and identification made pursuant to section 16-11.7-104 or based upon any subsequent recommendations by the department of corrections, the judicial department, the department of human services, or the division of criminal justice in the department of public safety, whichever is appropriate. The treatment and monitoring shall be provided by an approved provider pursuant to section 16-11.7-106, and the offender shall pay for the treatment to the extent the offender is financially able to do so...

16-11.7-106. Sex offender evaluation, treatment, and polygraph services - contracts with providers – placement on provider list - grievances - fund created. (1) The department of corrections, the judicial department, the division of criminal justice in the department of public safety, or the department of human services shall not employ or contract with, and shall not allow an adult sex offender or a juvenile who has committed a sexual offense to employ or contract with, an individual or entity to provide sex-offender-specific evaluation, treatment, or polygraph services pursuant to this article unless the sex-offender-specific evaluation, treatment, or polygraph services to be provided by the individual or entity conform with the guidelines and standards developed pursuant to section 16-11.7-103, and the name of the individual providing services is on the list created pursuant to paragraph (b) of subsection (2) of this section of persons who may provide sex-offender-specific services.

(2) (a) The board shall develop an application and review process for treatment providers, evaluators, and polygraph examiners who provide services pursuant to this article to adult sex offenders and to juveniles who have committed sexual offenses...

In terms of 16-11.7-104-06 above, the SOMB lists approved treatment providers, evaluators, and polygraph examiners, and also reviews complaints against listed providers. There are currently 328 approved treatment providers, evaluators, and polygraph examiners listed by the SOMB. In FY 11-12, the SOMB reviewed 136 applications, and 22 SOMB complaints and 58 Department of Regulatory Agencies (DORA) complaints. The latter numbers are up significantly from FY 10-11, when the SOMB reviewed 16 SOMB complaints and 12 DORA complaints. It should be noted that per the SOMB reauthorization legislation in 2011,¹⁴ all SOMB complaints on mental health practitioners are now forwarded to DORA for investigation and review. This has led to a significant increase in SOMB complaint workload as the SOMB now must review its own

¹⁴ H.B. 11-1138

complaints as well as advise DORA on their complaints, and has lengthened the complaint review and response time. Part of the increase in complaints may also be due to the fact that DORA policy allows for the acceptance of anonymous complaints whereas the SOMB policy does not allow such complaints.

Given the need to ensure an adequate number of approved providers with the skills to successfully implement the Standards and Guidelines, the SOMB provides regular training to all interested stakeholders including holding an annual conference in Breckenridge, which had 275 participants in 2012. In total for FY 11-12, the SOMB conducted or hosted 52 trainings for 2,277 participants. Much of the training is conducted by SOMB staff members.

16-11.7-109. Reporting requirements - legislative declaration.

(1) (a) The general assembly finds and declares that:

(I) As a body, the board is one of Colorado's most important resources on the treatment and management of adult sex offenders and juveniles who have committed sexual offenses;

(II) The board's research and analysis of treatment standards and programs, as well as empirical evidence collected and compiled by the board with respect to the treatment outcomes of adult sex offenders and juveniles who have committed sexual offenses, is vital to inform the decisions of policymakers.

(b) The general assembly therefore finds that it is appropriate for the board to report to the general assembly on an annual basis concerning the status of the treatment and management of adult sex offenders and juveniles who have committed sexual offenses in Colorado.

(2) On or before January 31, 2012, and on or before January 31 each year thereafter, the board shall prepare and present to the judiciary committees of the senate and the house of representatives, or any successor committees, a written report concerning best practices for the treatment and management of adult sex offenders and juveniles who have committed sexual offenses, including any evidence based analysis of treatment standards and programs as well as information concerning any new federal legislation relating to the treatment and management of adult sex offenders and juveniles who have committed sexual offenses. The report may include the board's recommendations for legislation to carry out the purpose and duties of the board to protect the community.

The SOMB has completed annual legislative reports in 2012¹⁵ and 2013,¹⁶ and will continue to do so each year hereafter.

Finally, the SOMB has also been working on a number of areas of special interest including:

- *Sexting by youth – developed a fact sheet¹⁷ and training curriculum. 437 participants trained in 8 trainings statewide.*
- *Polygraph assessment as part of treatment and supervision – the SOMB has reviewed the research and best practice literature on use of polygraph as part of treatment and*

¹⁵ Outcome Evaluation of the Colorado Sex Offender Management Board Standards and Guidelines: A Report of Findings Regarding Program Effectiveness, 2011

¹⁶ Evaluation of Policies and Procedures for Juvenile Offenders and Best Practices for the Treatment and Management of Adult Sex Offenders and Juveniles Who Have Committed Sexual Offenses, 2013

¹⁷ Educational Paper on "Sexting" by Youth: Balancing the Law, Teens, Technology, and Bad Choices, 2012

supervision, and had a presentation at the March 16, 2012 SOMB meeting. In addition, the SOMB has been working with a group of polygraph examiners who meet on a quarterly basis to discuss enhancing consistency of polygraph administration and definitions. Finally, the SOMB has requested regular updates on the use of polygraph as part of treatment and supervision, and is actively working on revising the Juvenile Standards and Guidelines related to the use of polygraph.

- *Managing sex offenders during disasters – developed a fact sheet¹⁸ and training curriculum.*
- *Implementation of the Adam Walsh Act¹⁹ and policies related to the management registered sex offenders, including transient sex offenders.*
- *Use of community corrections by sex offenders.²⁰*
- *Shared Living Arrangements/ zoning and residence restrictions – developed a fact sheet²¹ and educating stakeholder groups as they consider implementation of such an ordinance.*

¹⁸ Information Sheet: What you need to know about Sex Offenders and Sheltering during a Disaster in Colorado, 2012

¹⁹ White Paper on the Adam Walsh Child Protection and Safety Act of 2006, 2008

²⁰ SOMB White Paper on Adult Sex Offender Housing, 2011

²¹ Shared Living Arrangements (SLAs) Fact Sheet, 2010

Tools & Resources

The SOMB provides many services upon request and often free of charge. For more information or for inquiries, please contact the staff of the SOMB.

Here is a list of commonly offered resources:

- Provide Guidance
- Oversee Providers
- Conduct Training
- Facilitate Sub-committee Work-groups
- Provide Technical Assistance
- Conduct Research
- Create Statewide Policy
- Author Documents for Dissemination
- Conduct Community Education

If you are a member of the general public and would like to more information about sex offenders, please feel free to contact us.

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SEX OFFENDER MANAGEMENT BOARD



*"Community and Victim
Safety is Paramount"*

Sex Offender Management Board (SOMB)

Mandates and Duties

The SOMB was created by the Colorado legislature in 1992 to ensure that the statewide assessment, treatment, supervision and management of people who have committed sexual offenses is safe, consistent and effective.

The board is responsible for:

- Developing policies, standards, guidelines and requirements for professionals who provide services to convicted or adjudicated sex offenders.
- Approving and listing therapists, polygraph examiners and evaluators.
- Providing oversight that approved service providers are in compliance with standards.
- Conducting research and evaluations for developing evidence-based practices.
- Offer technical assistance to and expert recommendations for the Colorado legislature.
- Ensure that a coordinated system of interagency treatment and management is put into practice in order to enhance community safety, protect victims and help prevent sex offenders from reoffending.

Philosophies & Guidelines

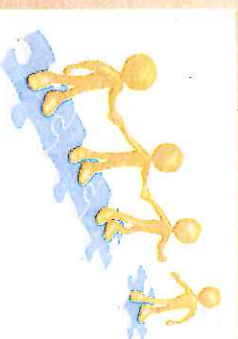
1. Victim and community safety are paramount
2. Some sex offenders cannot be treated and/or safely managed in the community
3. The evaluation, identification, treatment, and monitoring of sex offenders is necessary to prevent sex offenders from reoffending
4. Offenders are treated and supervised using the "Containment Model" which incorporates a variety of professionals involved with the offender systemically to provide a unified response
5. Consistent practices are critical in evaluating, treating, and monitoring sex offenders in prison or in the community
6. It is essential that the treatment and supervision for each sex offender based is based on their individual risks and needs.



The board consists of 25 members who represent an array of private, government and non-profit organizations committed to public safety, victim interests and the successful rehabilitation of offenders.

These members include:

- | | |
|--|--------------------------------|
| • Judicial | • Corrections |
| • Community Corrections | • Youth Corrections |
| • Law Enforcement | • Division of Criminal Justice |
| • District Attorney | • Public Defender |
| • Private Defense Bar | • Victim Advocates |
| • Mental Health | • Polygraph Examiner |
| • Judge & Juvenile Magistrate | • Department of Education |
| • Residential Treatment | • County Commissioner |
| • Director of Division of Human Services | |



Teamwork
Policy Collaboration
Alliance Risk — Management
Accountability
Research Support
Cooperation
Effectiveness
Treatment



Juvenile Standards and Guidelines Outcome Evaluation

Legislative Brief

Introduction

The purpose of this study is to examine the effectiveness of the *Juvenile Standards and Guidelines*, pursuant to 16-11.7-103(4)(k) C.R.S. The Colorado Sex Offender Management Board (SOMB) conducted a process evaluation in 2008 to determine the degree to which juvenile service providers implemented the *Juvenile Standards and Guidelines*. The results from that study showed that the *Juvenile Standards and Guidelines* were implemented to a sufficient degree to support further analysis of its impact. Thus, this study estimates the impact of the *Juvenile Standards and Guidelines* in an effort to better understand its effectiveness since original publication in 2002.

Methodology

To measure effectiveness, this study used multiple research methods³ to compare outcomes between two groups: a pre-implementation group (FY1999) and a post-implementation group (FY2007). Data collected from these juvenile populations focused on three important contexts:

Sexual and Non-Sexual Recidivism

- Statewide Data (n = 494)

Therapeutic and Supervision Strategies

- File Reviews (n = 80)

Perceived Utility by Field Practitioners

- 4 Focus Groups (n = 12)

Key Findings

- 1. Recidivism¹** – At 5 years, juveniles who successfully completed probation were found to have the following recidivism rates:

Recidivism Type	FY1999	FY2007
Sexual	8.0% (11)	2.3% (4)*
Violent, Non-sexual	10.9% (15)	5.2% (9)
Non-Violent, Non-Sexual	32.1% (44)	31.8% (55)
General	50.4% (69)	39.9% (69)

Note: * indicates a statistically significant decrease of $p < .05$.

- 2. School Personnel Involvement on the Multi-Disciplinary Team (MDT)** – Juveniles were more likely to succeed in treatment and under supervision when a school representative was a part of the MDT. These findings were statistically significant, but should be viewed with caution given the small sample size.

- 3. Polygraph Exam** – Juveniles were more likely to successfully complete probation supervision if they received a polygraph examination compared to those who did not receive a polygraph examination.

- 4. Family Involvement in Treatment** – When a juvenile's family was involved in any part of the treatment process, the likelihood that a juvenile would successfully complete supervision increased four-fold.

Discussion

Future Research - Additional research is still required to study the variation in practices, policies and procedures related to the effective evaluation, assessment, treatment, and supervision of juveniles who have committed sexual offenses.

Programming - The core components that first defined the containment model remain unchanged, but have evolved to incorporate new and innovative practices – many of which are either research-supported or evidence-based – enabling the containment model to still be an effective management strategy for this population.

Policy - The findings outlined in this report denote recidivism rates consistent with national trends.² Juveniles who committed sexual offenses were significantly more likely to recidivate with non-sexual crimes than sexual ones. Based on the literature reviewed and the data, there is some evidence to suggest that the *Juvenile Standards and Guidelines* may have contributed to the reduction in sexual recidivism. However, non-violent, non-sexual recidivism rates were unchanged before and after the *Juvenile Standards and Guidelines* were implemented.

¹ Recidivism is defined as the occurrence of a new court filing within five years of termination of supervision.

² See Caldwell, 2010; McCann & Lussier, 2008; Reitzel & Carbonell, 2006; and Worling & Langstrom, 2006 for more research on recidivism rates.

³ A mixed methods study uses both quantitative and qualitative data. This approach can provide descriptive, outcome and contextual information.

SEX OFFENDER MANAGEMENT BOARD

Outcome Study Recommendations for the SOMB

1. **Juvenile Standards and Guidelines** – Continue to utilize the Juvenile Standards and Guidelines by building upon its current research-based practices to integrate new research and emerging trends from the literature. This should follow the currently adopted process of periodically conducting revisions based on new research and best practice, and updating the literature references.
2. **Holistic Treatment Model** – Enhance and expand upon sex offense-specific treatment for juveniles who have committed sexual offenses to include health promotion and strength-based approaches, and expand treatment interventions to address non-sexual, criminogenic factors that may result in non-sexual criminal recidivism.
3. **Recidivism Research** – Continue to utilize the data from this study, and periodically update the research on the recidivism of juveniles who have committed sexual offenses.
4. **School Reference Guide and School Representatives** – Prioritize and update the School Reference Guide in order to emphasize the importance of incorporating school representatives into the MDT and further develop research-based school strategies.
5. **Diversion Education Initiative** – Continue to educate legal and clinical stakeholders by expanding the continuum of sentencing and treatment options available by utilizing diversion programming and boundary training. Supervision and treatment interventions that are commensurate with a juvenile's criminogenic needs and level of risk present the best opportunity for successful rehabilitation of the juvenile, while still ensuring community safety.
6. **Rural Initiative** – To expand the availability of treatment in underserved areas, continue to advance the Rural Initiative via the ongoing development of a treatment provider approval process that is a competency-based assessment rather than the current quantitative method of counting clinical and training hours.
7. **Competency-Based Initiative** – The SOMB has recognized that treatment provider expertise should be based on training and reinforcement of learned skills. The SOMB should continue its effort to develop a new treatment provider approval process based on the development of competency skills for providers rather than the current quantitative model of accumulating the requisite number of clinical and supervision hours.
8. **Young Adult Population** – Continue to study the young adult population by developing an Appendix that gives guidance to providers for service delivery and considers the unique dynamics of this population. The SOMB recognizes the research that suggests that developmental factors may play a role in rehabilitation of young adult sexual offenders and is working to incorporate this knowledge into the Standards and Guidelines.
9. **Polygraph Services** – The polygraph assessment can serve as a valuable adjunct instrument under certain circumstances for juveniles. However, it is not intended, nor should it be used, as a stand-alone treatment and supervision tool.
10. **Family Integration** – The SOMB recognizes the important role the family plays in the treatment and supervision of juveniles who commit a sexual offense. The SOMB will continue to study further ways to incorporate families into the MDT, treatment, and supervision process.

Recommendations for the Legislature (Applicable to both Adult and Juvenile)

1. **Residence and Zoning Restrictions** – The SOMB has been actively working on this issue since 2004, when the Colorado General Assembly requested that the SOMB conduct a research study and publish recommendations. It was the position of the SOMB then, as it continues to be now, that it is counter-productive to community safety for residence and zoning restrictions to limit where a sexual offender can live and the ability to place multiple sexual offenders together in a residence for the purposes of enhanced monitoring (Shared Living Arrangement – SLA). The state of Colorado has not passed any such legislation. However, local municipalities and counties have passed ordinances prohibiting certain sexual offender living arrangements. The Colorado Commission on Criminal and Juvenile Justice (CCJJ) requested that the SOMB continue to monitor this issue and provide ongoing guidance. The SOMB approved the White Paper on Adult Sex Offender Housing on November 18, 2011. This White Paper includes specific recommendations related to addressing the issue of residence and zoning restrictions.
2. **The Need for Affordable, Appropriate, and Stable Housing** – As noted above, the SOMB has ongoing concerns about sexual offenders being able to find affordable, appropriate, and stable housing, and published the White Paper on Adult Sex Offender Housing in an attempt to address these concerns. Such housing is viewed as an important component of a comprehensive management plan for sexual offenders in the community, and the availability of affordable, appropriate, and stable housing for adult sex offenders is seen as benefiting overall community safety. Offenders who are transient and destabilized present a greater risk for supervision non-compliance (e.g. failure to register) and for sexual recidivism.
3. **Use of Community Corrections for Sexual Offenders as an Alternative to Incarceration** – Community corrections is an alternative to incarceration for many offenders in the criminal justice system. It can serve as an alternative to the Department of Corrections for offenders who are struggling on probation supervision or as a step-down level of care for offenders leaving a correctional facility (i.e., transition). Until recently, many community corrections programs were not providing services to the sexual offender population. Management of sexual offenders within community corrections requires enhanced training for staff and programming for the offenders. Many community corrections programs are reluctant to invest in these enhancements given the lack of funding available to pay for such training. The SOMB encourages the use of community corrections for sexual offenders in the White Paper on Adult Sex Offender Housing. The SOMB recommends consideration of an enhanced per diem for sexual offenders in community corrections. The enhanced per diem will encourage the development of needed training and programming.



Sex Offender Management Board

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Offender Management
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Contact Information

Reporting Period (July 2012-June 2013)





Some scheduled tasks have not been completed. Actions are required to get the project on track. Progress has slowed significantly. Numerous scheduled tasks have not been completed. Actions are required for the project to start making adequate progress again. Significant uncertainty.

End Date
(* is estimated)

Status* Start Date

Progress to Date

Next Steps

Project	Project Description	Project Status	Project Start Date	Project End Date	Project Review Date
1 2013 Juvenile Standards and Guidelines Outcome Report	Description: This is a legislatively mandated research project that was completed on January 31, 2013. It compares the pre- and post-implementation recidivism outcomes of the Juvenile Standards and Guidelines.		May 2010	Jan 2013	Legislative report is finished. The technical report on the study is under review and contains all of the methodological research that was used. Review final draft copy.
2 Evaluation of Shared Living Arrangements (SLAs)	Description: This study compares the treatment outcomes of a randomized sample of offenders not in an SLA to a treatment group of offenders who are participating in an SLA. The overall aim of this study is to determine if SLAs are an effective treatment tool.		March 2011	Dec 2013*	Data collection is still ongoing. For the randomized sample of offenders not in an SLA, there is an n = 36, while there is an n = 31 for offenders in an SLA. Ongoing data collection and data entry.
3 Application Process Review (APR) Workgroup	Description: The APR is a workgroup evaluating the reapplication process for SOMB approved providers. This process has been documented to take in excess of 3 months to complete. The goal is to not only streamline this process but provide a greater level of oversight by the APR.		Sep 2012	Sep 2013*	The entire application process has been mapped out from start to finish. Begin evaluating areas of duplicative work and wasted time and resources, and brainstorm alternative approaches to regulating SOMB providers. The workgroup meets again in April.
4 Program Evaluation Training Package	Description: This is an ongoing initiative that was identified as a major gap in the SOMB research program. The key concept is developing a training package that teaches program evaluation to providers in order to build the capacity, skills and resources for individual programs to evaluate their own programs. Programs would collect ongoing data that would track their processes and outcomes, giving insight into what is and is not working.		Mar 2011	Jun 2014*	The SOMB has been working with one treatment program in a pilot project to develop the tools and resources needed for programs and establish needed training. The project has temporarily been on hold due to other competing projects that were legislatively mandated. The SOMB has reengaged with the treatment program to resume work on the project.
5 Colorado Youth Project	Description: This project is a collaborative effort between the SOMB and noted national researchers Dr. David Burton and Dr. George Lebowitz. The research design for this project is still under development. The project is intended to add to the major findings from the 2013 evaluation of the Juvenile Standards and Guideline by looking at three content areas: (1) family dynamics and characteristics; (2) the therapeutic process; (3) sexting and pornography.		May 2013	Dec 2015*	The research design is being finalized as the research team prepares to launch an aggressive campaign to solicit interest in the project from stakeholders over the remaining part of the calendar year. Data collection is planned to begin in January 2014 and will involve a survey administered twice to juveniles, before and after treatment, and quarterly to providers describing the type of treatment used. This regional outreach consists of discussing the proposed project during training events, as well as a survey and webinars that will be offered later this year.
6 Female Offender Empirically Guided Risk Assessment	Description: Currently, there is no empirically guided risk assessment for female sex offenders. Risk assessments that have been developed on males are being used on females, whose static and dynamic risk and protective factors have been documented to be different. This project seeks to build a guided risk assessment for practitioners to use.		Aug 2010	Dec 2014*	The research committee determined that in order to successfully conduct this analysis, a large sample population was needed to validate this risk tool. This is due to the low recidivism rates of female offenders. As such, the SOMB sought out other national programs during the 2012 ATSA conference and has a list of potential participants. The research committee is actively working with some of the nation's leading experts on female sex offenders to build the tools and resources for data collection sites to use. This includes a meeting with Katie Gotch in April to discuss collaboration and using a database she has already developed.

